

### **Remarks**

Claims 1-44 are pending upon entry of the foregoing amendment.

#### Amendments to the Claims

Claims 44-47 have been canceled without prejudice as being drawn to a non-elected invention.

Claims 1-3, 5-7, and 18-20 have been amended to specify that the method can be used to a multicontinuous *or bicontinuous* structure. Claims 43-44 have been amended to specify that the claims are directed to a method for making a shrunken replica of a *bicontinuous* structure. Support is found throughout the specification and figures, including original claims 23-42.

#### Restriction Requirement

The Office Action divided claims 1-47 into two groups: Group I, claims 1-44, drawn to a method for producing shrunken replica/inverse replica of multicontinuous or bicontinuous structures; and Group II, claims 45-47, drawn to replicas of multicontinuous or bicontinuous structures. Applicants elect, with traverse, to prosecute Group I, claims 1-44. Applicants traverse because search and examination of Groups I and II together in a single application would not present an undue burden.

#### Species Election Requirement

The Office Action indicates that the claims of Group I include two categories of patentably distinct species and requires Applicants to elect one "species" from each:

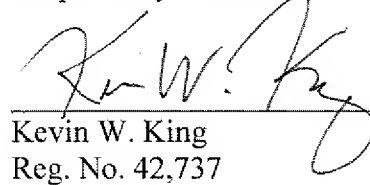
- A. multicontinuous and bicontinuous networks.
- B. metal and nonmetals

U.S.S.N. 10/799,160  
Filed: March 12, 2004  
AMENDMENT & RESPONSE  
TO OFFICE ACTION

Applicants elect, with traverse, bicontinuous networks in Category A and nonmetals in Category B. Claims 1-12, 15-32, and 35-44 read on the elected species. Claim 1 as amended is generic to both Category A and Category B. Applicants traverse on the grounds that search and examination of all of the species would not present an undue burden.

Examination and allowance of claims 1-44 is earnestly solicited. The undersigned kindly invites the Examiner to contact him by telephone (404.853.8068) if any outstanding issues can be resolved by conference or examiner's amendment.

Respectfully submitted,



Kevin W. King  
Reg. No. 42,737

**Date: July 24, 2006**

SUTHERLAND ASBILL & BRENNAN LLP  
999 Peachtree Street, NE  
Atlanta, Georgia 30309-3996  
(404) 853-8068  
(404) 853-8806 (fax)